

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING

KELLY F. SHUPPE,

Plaintiff,

v.

Case No.: 5:07-CV-57

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER CONTINUING HEARING

Because one of Plaintiff's counsel is ill and the other has a conflict, the evidentiary hearing scheduled for Wednesday, December 19th at 2:00 p.m. is continued until January 23rd, 2008 at 2:00 p.m. Counsel for Plaintiff must make arrangements for Plaintiff to appear by conference call at the rescheduled hearing and must serve a copy of this Order on Plaintiff by certified mail return receipt on or before January 9, 2008.

Plaintiff counsel's motion for a continuance is hereby GRANTED.

Any party may, within ten (10) days after being served with a copy of this Order, file with the Clerk of the Court written objections identifying the portions of the Order to which objection is made, and the basis for such objection. A copy of such objections should also be submitted to the District Court Judge of Record. Failure to timely file objections to the Order set forth above will result in waiver of the right to appeal from a judgment of this Court based upon such Order. Filing of objections does not stay this order.

The Clerk of the Court is directed to mail a copy of this Order to counsel of record.

IT IS SO ORDERED.

DATED: December 19, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE